

**United States Bankruptcy Court  
Eastern District of Pennsylvania**

In re:

Henry Bedford,  
Debtor.

Case No. 19-16254-amc

Chapter 13

**Debtor's Motion for Sanctions Against Creditor NewRez LLC d/b/a  
Shellpoint Mortgage Servicing for Violation of Fed. R. Bankr. P. 3002.1**

**AND NOW**, Debtor Henry Bedford, by and through his attorney, moves this Court to sanction a creditor for violation of Fed. R. Bankr. P. 3002.1. In support of this motion, the Debtor states as follows:

1. Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing holds a claim that is secured by an interest in the debtor's principal residence.
2. The proof of claim filed by the Creditor on March 28, 2023, indicates that the monthly payment due to the Creditor by the Debtor is \$1,816.07. Claim No. 7. Exhibit A.
3. Starting with the payment due on September 1, 2023, and continuing for each of the monthly payments due through December 1, 2023, the Creditor has sent the Debtor a monthly statement demanding a regular monthly payment in the amount of \$2,028.40. Exhibit B.
4. On or before the 21st day before a payment in a new amount is due, the Creditor must file notice of the change with the court. Fed. R. Bankr. P. 3002.1(b)(1).
5. Review of the docket in this case indicates that no notice of payment amount change was filed by the Creditor prior to December 14, 2023.
6. Because the Creditor failed to file the appropriate documents associated with the payment change, the Court must sanction the Creditor and award the Debtor reasonable attorney's fees and costs. Fed. R. Bankr. P. 3002.1(i).

**NOW, THEREFORE**, the Debtor asks this Court to grant relief in the form of order attached and to grant such other relief in his favor as may be necessary and proper under the law.

Date: December 14, 2023

CIBIK LAW, P.C.  
*Counsel for Debtor*

By: /s/ Michael I. Assad  
Michael I. Assad (#330937)  
1500 Walnut Street, Suite 900  
Philadelphia, PA 19102  
215-735-1060  
mail@cibiklaw.com